

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

RHONDA BURNETT, JEROD BREIT,  
JEREMY KEEL, HOLLEE ELLIS, and  
FRANCES HARVEY, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

THE NATIONAL ASSOCIATION OF  
REALTORS, REALOGY HOLDINGS  
CORP., HOMESERVICES OF AMERICA,  
INC., BHH AFFILIATES, LLC, HSF  
AFFILIATES, LLC, RE/MAX, LLC, and  
KELLER WILLIAMS REALTY, INC.,

Defendants.

Case No: 4:19-cv-00332-SRB

Judge Stephen R. Bough

**DEFENDANT THE NATIONAL ASSOCIATION OF REALTORS'® ADDITIONAL  
RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW<sup>1</sup>**

Pursuant to Federal Rule of Civil Procedure 50(b), Defendant the National Association of REALTORS® (“NAR”) renews its motion for judgment as a matter of law. The jury’s verdict in favor of Plaintiffs is deeply flawed as a matter of law. The Plaintiffs here were not direct purchasers from any of the named Defendants, and the long-established and state-authorized practices here were not tested under the rule of reason. The trial record was also bereft of any evidence that Defendants entered into a conspiracy with anyone, let alone legally sufficient evidence to satisfy the elements of Plaintiffs’ antitrust claim.

Judgment as a matter of law is warranted for all the reasons set forth in the accompanying Suggestions in Support of this Motion. Accordingly, the Court should enter judgment as a matter of law in favor of NAR.

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<sup>1</sup> This Motion is the refile of Keller Williams’ Renewed Motion for Judgment as a Matter of Law (ECF 1353). On February 8, 2024, the Court granted NAR’s request to have this Motion refiled by NAR as a new docket entry signed by NAR’s counsel. ECF 1383, 1384. This Motion is “deemed timely filed under Federal Rules of Civil Procedure 50(b)” in accordance with the Court’s order. ECF 1384.

Dated: February 9, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this February 9, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Ethan Glass

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